111TH CONGRESS
2D SESSION

S. 3174

To amend the Patient Protection and Affordable Care Act to provide for participation in the Exchange of the President, Vice President, Members of Congress, political appointees, and congressional staff.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2010

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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A BILL

To amend the Patient Protection and Affordable Care Act to provide for participation in the Exchange of the President, Vice President, Members of Congress, political appointees, and congressional staff.

1 *Be it enacted by the Senate and House of Representa-*

2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4   This Act may be cited as the "Health Reform Ac-

5 countability Act".

SEC. 2. PARTICIPATION OF PRESIDENT, VICE PRESIDENT, MEMBERS OF CONGRESS, POLITICAL APPOINTEES, AND CONGRESSIONAL STAFF IN THE EXCHANGE.

(a) IN GENERAL.—Section 1312(d)(3)(D) of the Patient Protection and Affordable Care Act is amended to read as follows:

"(D) PRESIDENT, VICE PRESIDENT, MEMBERS OF CONGRESS, POLITICAL APPOINTEES, AND CONGRESSIONAL STAFF IN THE EXCHANGE.—

"(i) IN GENERAL.—Notwithstanding chapter 89 of title 5, United States Code, or any provision of this title—

"(I) the President, Vice President, each Member of Congress, each political appointee, and each Congressional employee shall be treated as a qualified individual entitled to the right under this paragraph to enroll in a qualified health plan in the individual market offered through an Exchange in the State in which the individual resides; and

"(II) any employer contribution under such chapter on behalf of the

1   President, Vice President, any Mem-
2   ber of Congress, any political ap-
3   pointee, and any Congressional em-
4   ployee may be paid only to the issuer
5   of a qualified health plan in which the
6   individual enrolled in through such
7   Exchange and not to the issuer of a
8   plan offered through the Federal em-
9   ployees health benefit program under
10   such chapter.

11   "(ii) PAYMENTS BY FEDERAL GOV-
12   ERNMENT.—The Secretary, in consultation
13   with the Director of the Office of Per-
14   sonnel Management, shall establish proce-
15   dures under which—

16   "(I) the employer contributions
17   under such chapter on behalf of the
18   President, Vice President, each Mem-
19   ber of Congress, each political ap-
20   pointee, and each Congressional em-
21   ployee are determined and actuarially
22   adjusted for individual or family cov-
23   erage, rating areas, and age (in ac-
24   cordance with clauses (i) through (iii)

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1 of section 2701(a)(1)(A) of the Public

2 Health Service Act); and

3   "(II) the employer contributions

4   may be made directly to an Exchange

5   for payment to an issuer.

6   "(iii) POLITICAL APPOINTEE.—In this

7 subparagraph, the term 'political ap-

8 pointee' means any individual who—

9   "(I) is employed in a position de-

10   scribed under sections 5312 through

11   5316 of title 5, United States Code,

12   (relating to the Executive Schedule);

13   "(II) is a limited term appointee,

14   limited emergency appointee, or non-

15   career appointee in the Senior Execu-

16   tive Service, as defined under para-

17   graphs (5), (6), and (7), respectively,

18   of section 3132(a) of title 5, United

19   States Code; or

20   "(III) is employed in a position

21   in the executive branch of the Govern-

22   ment of a confidential or policy-deter-

23   mining character under schedule C of

24   subpart C of part 213 of title 5 of the

25   Code of Federal Regulations.

1   "(iv) CONGRESSIONAL EMPLOYEE.—

2   In this subparagraph, the term 'Congres-

3   sional employee' means an employee whose

4   pay is disbursed by the Secretary of the

5   Senate or the Chief Administrative Officer

6   of the House of Representatives.''.

7   (b) EFFECTIVE DATE.—The amendment made by

8 this section shall take effect as if included in the Patient

9 Protection and Affordable Care Act.

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